

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
2012 DEC - 3 PM 3: 53

CLERK'S OFFICE
AT BALTIMORE

Everton Brown
Plaintiff

BY _____ DEPUTY

V.

* CIVIL ACTION NO. WDQ-12-1954

U. S. Department of justice

*

Defendant

*

* * * * *

**MEMORANDUM SUPPORTING COMPLAINT TO RELEASE DOCUMENTS
OF INVESTIGATION IMPROPERLY WITHHELD BY DEFENDANTS**

Plaintiff, Everton Brown respectfully submits this Memorandum in support of complaint to force Defendants to comply with the Federal Freedom of Information Act, 5 U.S.C. S₅ 552 and release documents of investigation improperly withheld.

I. Introduction

Plaintiff a United States Citizens will be referred to as Plaintiff, my, me and I proceeding by responding to Defendants (referred as Defendants, they, their and them) allegations on delusions, blog by Peter Hermann "Crazy or a target", (submitted by Defendants through way of Exh. 2). I will exhibit pictures, videos and incidents displaying a pattern over five (5) year of Investigation which all surrounds the circumstances of the Defendants deception, who have delegated the misconduct and influenced the continuous suspicion of criminal behavior and activities without cause.

II. RESPONSE TO BLOG ("CRAZY OR A TARGET") **SUBMITTED BY DEFENDANTS**

On August 9, 2008 I contacted Annie Linskey with the Baltimore Sun by way of e-mail who forwarded my correspondents to Peter Hermann (**Exhibit. A**). On August 21, 2008 Peter Hermann responded By way of e-mail. Mr. Peter Hermann thanked me for the picture of my home and stated "call me at 410-332-6613 or e-mail. I want to talk to you and visit this house." (**Exhibit. B**) Soon after Mr. Peter Hermann came to my home. Mr. Hermann took Pictures while I conveyed the problems I was having with the authorities. After the visit I called Mr. Hermann regularly inquiring when he would write the story. On October 5, 2008 I access the Blog; to my surprise it was extremely brutal (I was not able to print I took a Picture) (**Exhibit. C**). I contacted Mr. Hermann, I didn't ask why I express he needed to write the truth. I then contacted the editor Mr. Andy Green who said the story wouldn't be corrected. On October 7, 2008 I accessed the Blog the story did not change the picture stayed the same (**Exhibit. D**). Again I accessed the Blog on October 17, 2008 the story stayed the same the picture did not change (**Exhibit. E**)

The article that the Defendants produced is of a street sign (**Exhibit. F**), the original published article displayed a picture of my home which I have produced (**See Exhibit. C-D-E**). The article States, "But Mr. Brown has taken that extra step to demand attention – he has attached a large sign covering his front door with large red lettering" (paragraph 3)(**See Exhibit. C-D-E**).

The article produced By the Defendants also states ("Crazy or a target")." He displays a piece of the crawlspace floor that he says he leaves open so police who come to search don't have to break anything" (Paragraph 5). This statement is totally distorted. The article refers to the picture below the

front door light (**See Exhibit. C-D-E**). This picture is of the firewall in my attic that the Defendants agents cut through to enter my home from their adjoining rented Townhouse (**Exhibit. G**).

The Article states, "For weeks earlier this year, "he stood in front of the U.S. District Court building on Lombard Street holding a sign" (Paragraph 7). This is untrue. I walked the one block of 101 W. Lombard Street for five days from July 28, 2008 to August 1, 2008 during business hours.

The Article ("Crazy or a target") states "He lives in two rooms upstairs – sleeps on a sofa next to two large cages for his pit bulls and uses a cramped office to write letters to Baltimore County Police complaining they aren't investigating the break-ins. More lies, I have never written to the Baltimore County Police referencing the Authorities or the FBI break-in" (Paragraph 8). I was also living with my mother and there was only one cage for my Pit Bull Puppies (**Exhibit. H**).

The article ("Crazy or a target") submitted by the Defendants states, "His neighbors wouldn't talk to me, including one next door who is involved in several legal disputes with him. **Counter charges of trespassing and harassment have been filed**". This story was posted October 3, 2008 the writer wrote "his neighbors wouldn't talk to me," But he is able to write about filed Court proceedings.

The Federal Bureau of Investigation Agents filed a trespassing complaint on January 30, 2009. This complaint was filed because I walked on the Grass of their rented house (**Exhibit. I**).

I retained a Lawyer for trespassing across their grass but the FBI agents did not appear (**Exhibit. J**).

This entire article has been fictionalized to paint a picture of delusion and insanity. I only addressed the statements that I am able challenge without opposition.

III. RESPONSE TO DEFENDANTS REMARKS
BEING ON A WATCH LIST

The Defendants states in their Memorandum (Page 6, Paragraph 2, Line 2) "Again, to the extent that Plaintiff sought information regarding whether he was on a watch list, (OIP) advised that any such information was protected from disclosure and explained that this was a standard response and should not be considered an indication that records do or do not exist" (Exhibit. K).

Plaintiff is uncertain to what the Defendants referees to, in the above statement. I filed an appeal, which was received April 12, 2012 (Exhibit. L). I received acknowledgement April 28, 2012 (Exhibit. M). I sent an inquire letter by fax on June 1, 2012 (Exhibit. N) This letter states,

The response I received from the FBI referencing my FOIA request states, they were unable to identify main file records related to my request. I am sure the Office of Information Policy Appeal will conduct a more thorough search where appropriate of not only main files but also Sub Files, Numbered and Lettered not excluding Controlled Files or Electronic Surveillance (ELSUR) Index or any COINTELPRO Index. My request should not be limited or excluded from the search of Manual Files relating to my request.

I received a determination Letter from OIP on June 14, 2012 dated June 5, 2012. The agency is allowed 20 working days under FOIA to respond or to forward notice of a delay. The agency did not forward notification of a delay. (Exhibit. O).

The Defendant maybe referring to my inclusion of COINTELPRO Files has a search engine (defined by Wikipedia) (Exhibit. P). I have no reasons to believe I am on a watch list. There is certainly no reason for holes to be poked in the walls of my Home, Food, Vehicle and everything I possess, but its taking place daily. There is no reason for the same thing to be happening to my Mother a 78 year old great

grandmother that have never had any form of legal interaction within a Courthouse, but its taking place.

The Defendants have denied that they have information of Investigation and Surveillance. I am fully aware that this has and is ongoing. The cover-up is evident and the Defendant have giving the illusion to have search Main Files, when there are many different categories of filing system within the FBI, Sub Files, Lettered and Numbered Files, Controlled Files or any related filing system the agency will used to evade and deceive the Law not to release these documents, is improper under FOIA.

IV OCCURRENCES DELEGATED BY DEFENDANTS

1. On September 11, 2010 I entered Sam's Club (retail store) I was told at the front door that my book bag (contained a Laptop) would be search on the way out. I asked, are you serious? The attendant responded, yes. I went in and exited the exit door has I walked to my vehicle a marked County Police Officer followed, he said nothing. I returned to the store with a Video Camera but encountered no problems still possessing the book bag.

Time passed and the intense surveillance and property search that I was experiencing grew and my travel possession increased to minimize the destruction and lost, of what I felt was important property. On June 10, 2011 I visited Sam's Club I had several bags I left two at the front desk and a small bag I kept with me which the attendant uttered its ok. On the way out the store I was stopped by several employees and 3 uniformed Officers stating they needed to search my bag. I replied I am not giving you permission but if you feel you need to search my bag then do so (Exhibit. Q. - July 2, 20011-081).

I went back to the Sam's club the next day, an Officer ran in before me but I had no problem with the same bag (**Exhibit. Q. -July 2, 20011-082**). This continued, I would not allow my bag to be searched without Video Taping the incident, so I have been band for that reason (**Exhibit. Q. -M2U03235**).

2. The Defendants agents [I] mentioned previously in the second paragraph on page 3 cut through the firewall of my attic and used a clothes hanger to lift the covering to enter my home (**Exhibit. R**). On August 5, 2008 the Defendants Agents pulled a knife and threatened me, punched me in my stomach, ran up to my front door with continued threats because I asked, "when are you and your people going to leave me alone"? I reported this to the police, the police retrieved their names. The names I was given is Mr. Tyrone Pitts and Ms. Trebinn Jackson, written by the officer (**Exhibit. S**). I filed a report with the Commissioner who issued criminal charges and an arrest warrant (**Exhibit. T**).

A Detective Martin Stagi knocks on my door one morning inquiring about Mr. Tyrone Pitt. He asked me for a description because he had no Information on Mr. Tyrone Pitt. I gave Detective Martin Stagi a description. He knocked on Mr. Tyrone Pitt door. He returned 20 minutes later and said Mr. Pitt had moved. I express that I had a Picture of Mr. Tyrone Pitt. Detective Martin Stagi handed me his card. I called Detective stagi uncountable times, left messages but he did not return my calls (**Exhibit. U**).

Mr. Tyrone Pitt Returned January 2009 I called 911 an officer came, he stated Mr. Albert Johnson had paperwork showing he served 4 months in Jail; Tyrone Pitt is now Albert Johnson. I inquire about Mr. Albert Johnson, which returned that he was incarcerated from August 31, 2008 until September 26, 2008. I then visited the Prosecutor's Office. I was told I did not have to attend Trial because they took care of it Also Ms. Tribinn Jackson case was put on a Stet Docket (**Exhibit. V**).

3. On January 27, 2009 I took my trash out of the back yard to the front of my Townhome, moments later a police officer Lauer (badge #3106) approached me and said I can't walk across the neighbors grass. He pointed out the Property Line.

On January 30, 2009 Officer Lauer returned and served me with a protective order (See Exhibit. I). On February 3, 2009 Officer Lauer returned once again knocking on my door. He had 4 accompanying officers. I opened my door Officer Lauer said, "I warned you not to walk across the neighbors grass". I pointed out my foot print in the snow showing that I only walked on common ground. Officer Lauer again gave me another warning and urged me to appear for court but the Defendants did not appear (See Exhibit. J).

4. On May 12, 2009 Ms. Tribinn Jackson and Mr. Albert Johnson again took me to Civil Court but now their names have changed once again its now Yolanda Jackson and Albert Shenson. The Civil Case for deformation of character was dismissed. The Complaint written by Ms. Yolanda Jackson was removed from my home (Exhibit. W).

5. On February 18, 2008 I walked into the Western District Police station and filed a complaint about being stalked by the residents in the neighborhood where I have been rehabbing a house primarily alone for two years (Exhibit. X)

On March 7, 2008 I was staying in a Motel because of a fire in my home. I arrived at the motel around 9:00 pm. I realized I was being followed by the same residents of the neighborhood, where I have been rehabbing the house. I called 911 and proceed to follow them. The 911 operator instructed to discontinue the following. I continued for many miles still speaking with the 911 operator.

The following proceed down a side street now another vehicle is behind me. They stop I turned into a residence driveway still on the 911 call. The FBI agents that have been following from January 24, 2008 have now stopped. The vehicle that was behind started shooting. The 911 call disconnected they speeded off. Again, I called 911 I connected with the same operator who heard the gun shots. I returned to the motel and did not see the presence of a police officer for hours after the shooting.

I spoke with a Sgt. Fisher who informed me that he had detectives watching the house of the License Plate I provided. He also said he would like to catch them with the gun. The investigation was stopped by a Detective K. Harding, Who has written a report that is completely misleading. Detective K. Harding states I forgot the tag. Impossible because it's, A-178886 and I took a picture while following the perpetrators for miles (Exhibit. Y).

In December of 2010 I requested a copy of the report and the connected 911 call. I was informed after a year the 911 call is erased (Exhibit. Z).

6. On August 18, 2012 I was terminated by my employer for yelling, can you hear me now. I did not direct it, at anyone or faced anyone but one employee reported this to HR. I was asked to write a statement about the incident (Exhibit. 2).

Three and a half months (3 ½) past and I heard no more about the incident. One morning I sat down (to eliminate intimidation) and I asked the co-worker," what was your reason for reporting to HR that I Yelled", "Can you hear me now"? He replied, I don't remember that. I said, how could you forget, you had to make a call or write a statement. He replied I didn't. After that response I felt there was no more to be said. I got up and walked to my car. I was later terminated for harassment on complaints

written by the individual and another in the room. Examining both statements it appears to be two different incidents (**Exhibit. 3**).

The Defendants recruits, my co-workers to assist in their agitation. The above individual watches and uses his cellphone earpiece to allow the Defendants to monitor my conversation and I yelled, "can you hear me now" because of that fact. The second employee that submitted a statement Exhibit three (3) was also a recruit of the Defendants. Prior to said incident while working I approached the second individual about 4:00 am. one morning I asked, "Are you watching me" obviously he replied no. I replied but you come to work 1:00 am. to 2:00 am. and just set in your car with your Cellphone glued to your head the entire time I am here. After that conversation he discontinued watching me.

V. DAMAGES CREATED BY FBI INVESTIGATION

The Federal Bureau of Investigation have watched and entering my home for the past five years intending to be a phantom, to enter my home and do surveillance without being notice. They have continuously created a slow form of destruction that's beyond evident.

The Defendants agents cut through the firewall in my attic (**See Exhibit. G/R**) cracked the glass in my second floor rear bed room window, after I realized they were entering through it and I sealed it with silicone (**Exhibit. 4**).

The Defendants terrorized my dogs beating them feed them to enter my dwelling. The Defendant has abused my dog cutting one over his left eye, to enter my home, while I was walking my second dog (**Exhibit. 5**). The Defendants carve letters in my Electrical Braker Switches such has (K) kitchen (**Exhibit. 6**). The Defendants lite paper inside my home to [s]ee when I completely turn the Electric power off, disposing of it in my dishwasher (**Exhibit 7**).

The Defendants have cut section out of a tree stump; I have a Balled Eagle perched on and chip a portion from the lower back (**Exhibit. 8**). The Defendants have totally destroyed the inside of my 1988 Chevy Nova (given to me by my grandaunt). They slowly completely destroying the headliner (celling), cutting the right Sun Visor on July 29, 2011 and the left Sun Visor on March 17, 2012. They have totally destroying the arm rest, they have removed the air from my tires on many occasion and also slashed one (1) tires on two occasions (**Exhibit. 9**).

The Defendants punch holes through my stationary window screen, removed every glass from the windows of my home to enter. The Defendant has accessed my computer through the fingerprint access. They have completely removed the past code on several occasions to gain access to my computer. The Defendants removed sticker's emblems and disassemble my computer. They have removed the firewall from the unfinished area of my basement, entering through their rented house. The Defendants have punched holes in my foods although the Defendants observed me purchasing it. They cut small sections from my shed, cut the gas line to my weed whacker several times, punch holes in my doors, walls used my toilet for ladder while I was working on my home. The Defendants poked, scratch, chip, disassemble, assemble everything I own or possess, deleting and removing Memory ticks (**Exhibit. 10**).

The Defendants have recently punched a hole in my Mother Headliner (ceiling) (**Exhibit. 11**). The Defendant Agent punched a hole in the headliner (ceiling) of my Ford Expedition. I drove the vehicle saw the hole over my head and decided to view the video surveillance of my home. I observed a man searching the vehicle on the video recording. The recording has been removed from my possession but the recording of this individual search my vehicle was observed (**Exhibit. 12**).

VI. DEFENDANTS RECENT EFFORTS TO EVADE ACCOUNTABILITY

I have recently requested Police Incident Reports connected to my complaint, only one from Baltimore City. I connected to Baltimore City Custodian of Records on my initial call and had no problem picking it up the next day (truckers seal placed on inner door always broken) (**Exhibit. 13**).

I left several messages over four days for Baltimore County Custodian of Records Ms. Foltz. I receive a return call, I explained to Ms. Foltz the reports I am requesting is for Court proceedings and I were in the process of implementing a subpoena, before you called. I requested 11 incidents, included my phone number and payment. I was told to leave my request at the front desk; after I conveyed I had no problem retrieving a report from Baltimore City. Ms. Foltz called several days later and stated I could pick the reports up at the front desk after 2:00 pm. Ms. Foltz did not indicate that it was a problem with my request. I received eleven (11) reports but four (4) had no reference to my request. The other seven (7) indicated no report written, although I received a Crime Victims Form on several incidents (my request and non-related reports to my request) (**Exhibit. 14**).

VII. AGENTS OF THE DEFENDANTS

The Defendants have inflicted exhaustion by using the general public, Military, Ex-military and every law enforcement agent within my surroundings. This officer an agent of the Defendants, Alphonso Gaye who has severely argued with me about feeding my dog's from his sister's home at 1529 W. Fairmount Avenue, (Baltimore) whose motive was to spy and gather information (**Exhibit. 15**). The Defendants have used these agents renting the adjoining Townhome to inflict terror Ms. Yolanda Jackson AKA Tribinn Jackson and Mr. Albert Shenson AKA Albert Johnson AKA Albert Pitt (**Exhibit. 16**).

A present agent of the Defendants who rents the Townhouse of 7538 Maury Road, two doors away from my Townhome and has feed my dog's repeatedly (Exhibit. 17).

VIII. SUPPORTING TACTICS OF LAW ENFORCEMENT

On March 18, 2010 I was stopped after leaving the house I had been rehabbing. I was arrested for relocating a registered hand gun back to my residence, but I forgot to unload it. I was given a \$100,000.00 bail and strong suggestions from the Prosecutor of ninety (90) days Jail time for the incident although I have only been convicted of trespass and never have been connected to any kind of illegal act. My home was then raid through a warrant. The officers fed my dog then disconnected my surveillance camera system. They went into my backyard leaving my cooking pot on the deck. This pot had the total attention of my dog when I picked it up, has though he thought I would strike him with it (Exhibit. 18).

IX. SUPPORTING EVIDENCE OF DEFENDANTS DAILY SURVEILLANCE

(1) The Defendant has used a vast amount of Aircrafts, Motor vehicles and individuals to monitor my Life but denies they are not the orchestrator.

(2) The Defendants tampers with my mail remove or destroy facts that will incriminate them (Complaints filed with post office and U.S mail Inspector) (Exhibit. 19).

(3) The Defendants continuously attempt to derail my judicial rights while improperly withholding documents under Federal Freedom of Information Act, 5 U.S.C. S₅ 552.

(4) The Defendants have abused my dogs while painting a portrait that I am delusional and my complaint is fantasy.

(5) The Defendants have terrorized my mother while claiming I have enhanced reality.

(5) The Defendants have terrorized my mother while claiming I have enhanced reality.

(6) Routes that I frequently travel, the Defendants intentionally create a traffic problem. This sign displayed 3 times within a year in a two mile radius by the police because of inquires about the traffic. (Exhibit. 20).

(7) I have protested in every possible way imaginable. I have written to government officials and have been willing to freely assist.

(8) I have posted the Defendants agency on my front door protested in front of the White House but they insist they know nothing of my problems (Exhibit. 21)

(8) I have videotaped the daily surveillance by the Defendants using Aircrafts that are stationary and flying slowly approximately 50 feet above the ground at times. This occurs at all times while I am working, traveling or in my home (Exhibit. 22).

X. MOTION TO FORCE DEFENDANT TO RELEASE DOCUMENTS

OF INVESTIGATION AND SURVEILLANCE

I the Plaintiff, Everton Garfield Brown have submitted substantial evidence to support my filed complaint of surveillance and the continuous searching and slow destruction of my property. I the Plaintiff have demonstrated that this complaint have merit in presenting video of Aircrafts that consistently following my travels and targeting my Home where I have resided for 15 years. They have slowly induced an intentionally meltdown of my property. I have shed light on numerous incidents that all entwines together, evolving from the Defendants investigation.

The Defendants, the largest law enforcement agency within the United States who have the Jurisdiction to link and acquire the assistance of any individual, agency, company or corporation for law enforcement purposes have used that power in a destructive and deceiving manner. My intent is not to display the misconduct of individuals or entities involved but to present a trail which the Defendants have directed for five years.

The Defendants have corrupted, deleted, taken items of evidence to avoid accountability. The Defendants proclaim to have instituted a reasonable search for identifiable records under FOIA. The Defendants states that a second search of their Central Record System have reviled a cross- reference located in someone else's file but they are unable to produce it. The Defendants states a five year investigation is ridiculous and implausible. The Defendants states they know nothing of my problems.

I have produced video of the numerous Aircrafts flying simultaneously from my rear deck, front porch inside my home that flies a basic pattern around my home and also stationary to view the inside of my home, during my travels or while working. It is difficult to video these Aircrafts with the Defendants being aware. They dim their lights when I am able to video tape these Aircrafts, change their directions flying really low to be blocked by trees and buildings. The evasiveness is evident but under the circumstances I shown a pattern of surveillance and abuse of power.

The incidents that I have displayed are not typical and a moderate search is unreasonable when the Defendants are trying to deceive and evade being held accountable. **"Fast and furious"** investigation, running guns into Mexico is evident of the capability of wrong doing and cover up.

XI. CONCLUSION

I pray that this Court will implement a just and unbiased judgment, grant leniency to my legal inexperience and inability to acquire legal representation; wherefore compelling the Defendants to produce the records of investigation that is being improperly withheld. I have shown their investigation is no secret and the documents should be released under the Freedom of Information Act, 5 U.S.C S₅ 552, which was instituted in 1966 to curve corruption and hold government accountable to the people they govern.


Respectfully Submitted,

Everton Brown
Plaintiff